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CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

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April 5, 2007

The Honorable Mayor Gomez
Daly City
333 90th Street
Daly City, CA 94015

RE: 30-Day Notice of Intent to Issue the City of Daly City a Compliance Order for Failure to Adequately Implement its Source Reduction and Recycling Element and/or Household Hazardous Waste Element and Meet the Fifty Percent Diversion Requirement

Dear Mayor Gomez:

The purpose of this letter is to formally notify the City of Daly City (City) that Board staff's review of the City's progress indicates the need for the Board to consider, at a public meeting, issuance of a Compliance Order. Failure to meet Compliance Order requirements may result in civil penalties of up to \$10,000.00 per day.

California Integrated Waste Management Board (Board) staff has conducted a 2003/2004 Biennial Review of the City's Source Reduction and Recycling Element (SRRE) program implementation to-date and diversion rate achieved. Board staff is bringing forward its 2003/2004 Biennial Review findings that the City has failed to adequately implement its diversion programs. The City has implemented SRRE selected diversion programs but implemented programs are not providing sufficient reductions in disposal to enable the City to achieve the 50 percent diversion requirement of PRC Section 41780. The City's 2003 and 2004 diversion rates are 27 and 29 percent, respectively. Board staff therefore recommends the Board consider issuing the City a compliance order that will require the City to work directly with Board staff to develop a Local Assistance Plan (LAP) that will identify a strategy for program enhancements and local actions necessary to enable the City to achieve diversion requirements.

Board staff met with a City representative several times with the latest discussion occurring in September 2006, to discuss the City's 2003/2004 Biennial Review.



At our meeting we were able to visit the processing facility that handles a majority of waste collected by the City's franchise hauler and to observe how materials are currently processed. We also discussed some of the City's other programs and what additional efforts might be needed to improve the City's ability to achieve diversion requirements.

The following program gaps may be impairing the City's ability to achieve diversion requirements:

- Full implementation of the residential curbside recycling program.
- Expanded outreach, education and enforcement to increase participation and compliance with the City's new Construction and Demolition (C&D) policy.
- Full implementation of the commercial recycling programs.

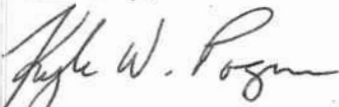
It is strongly recommended that you or your City's representative attend the Board's Permitting and Compliance Committee Meeting to present your jurisdiction's program implementation efforts, diversion rate achievement and any special circumstances you would like the Board to consider and answer any questions from the Board.

CIWMB Permitting and Compliance Committee Meeting

Date: May 7, 2007
Time: 10:00 A.M.
Location: Joe Serna Jr., CalEPA Building
Coastal Hearing Room
1001 I Street, 2nd Floor
Sacramento, CA 95814

Should you have any questions about this letter, or the upcoming committee meeting, please contact Kyle Pogue at the Board's Office of Local Assistance at (916) 341-6246.

Sincerely,



Kyle W. Pogue,
Supervisor, Bay Area Office of Local Assistance

cc: Joseph Curran